

# Puget Sound School Coalition

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Bethel, Everett, Federal Way, Franklin Pierce, Highline, Issaquah, Lake Washington, Northshore, Orting, Riverview, Snohomish, Snoqualmie Valley, and Tahoma School Districts

May 20, 2011

King County Growth Management Planning Council  
Department of Development & Environmental Services  
900 Oakesdale Ave. S.W.  
Renton, WA 98057-5212

**RE: Comments regarding the proposed Countywide Planning Policies governing Schools**

Dear members of the Growth Management Planning Council:

I am writing on behalf of the Puget Sound School Coalition (the “Coalition”). The April Public Review Draft of the 2011 Update to the Countywide Planning Policies (“CPPs”) will create systemwide negative impacts on the provision of K-12 public education. Notably, there has been no outreach to any of the nineteen school districts in King County regarding the proposed policies. Coalition members only learned of the proposals from a consultant prior to the Growth Management Planning Council’s (the “GMPC”) April 27<sup>th</sup> meeting. It is unclear why there were no attempts to contact elected school board members or superintendents or to discuss the potential implications of the proposals with school districts before the release of the Public Review Draft.

The Coalition requests that the GMPC not take action at its June 29<sup>th</sup> meeting on the proposed Countywide Planning Policies governing schools. The policies could affect access to educational opportunities for students throughout the County and will increase the cost of providing education at a time when school budgets are already severely strained. The GMPC has not identified the benefits of the proposed policies and how these policies will achieve the regional planning objectives. Additional time will enable school districts to provide more quantitative information regarding the impacts of the proposed policies and to identify possible options.

**A. The impacts of the proposed policies have not been analyzed:**

The current Countywide Planning Policies and the King County Comprehensive Plan authorize schools to be built in the rural area and to be connected to a tightline sewer under certain conditions. These policies have enabled schools to provide K-12 educational services without resulting in urban development in the adjacent rural area.

Currently, there are ten school districts in King County with schools located in the rural area. Together, these districts serve over 118,000 students. The proposed Countywide Planning

Policies governing schools are vaguely worded. For example, as currently written, the policies could negatively affect all existing schools located in the rural area. Apparently, land use issues associated with current schools and the implications of the proposed changes on existing schools were not considered during the drafting process.

Second, the development of school service areas requires schools to balance a wide range of complex factors. They include analyzing geographic service areas, topography, transportation routes, the tiered transportation system, safe walking routes, enrollment projections, capacity needs, feeder patterns (from elementary school to middle/junior high schools for example), location of other schools, neighborhoods, projected residential development patterns, communities of interest, and a host of other variables. At a minimum, the GMPC should give school districts the opportunity to make a presentation regarding the decision-making process associated with developing school attendance boundaries before making broad policy decisions. Proposed new policies such as DP-49 could, for example, restrict the programs that are available to students who reside in the rural area and/or increase bus travel times to the detriment of the students' educational experiences.

Third, the proposed policies will significantly increase the costs to the taxpayers. Specifically, the proposed policies would render numerous school sites currently owned by districts -- acquired at millions of dollars -- unsuitable or less suitable for school use. Requiring school districts to acquire sites exclusively in the urban area (as some appear to advocate) would: (a) increase site acquisition costs because of the generally higher land values inside the urban growth area; and (b) increase the pressure to extend the Urban Growth Area ("UGA") because school sites inside the UGA would take land out of the land base for homes and businesses. A GMPC member suggested that school districts use condemnation authority to assemble parcels for school sites within the UGA. The reality is that the financial and political costs associated with condemning houses and displacing local taxpayers make this an extraordinarily difficult option for any elected official to consider.

As school districts have outlined our concerns regarding costs, the cost implications have been discounted. One official stated that the Growth Management Act was not intended to result in efficient public services, only the provision of such services concurrently with development. While this statement ignores one of the fundamental underpinnings of growth management planning, it really misses the point. In these days of shrinking government budgets and a lagging regional economy, why would elected local government officials disregard the cost implications of policy decisions on other municipal entities and our common constituents? When do policies that promote inefficient delivery of public services make sense? This question is particularly important when there is little or no real benefit created.

## **B. The proposed policy change is unnecessary:**

Changing the policy regarding schools in the rural area and tightlines for public schools causes harm. As discussed below, there is no offsetting benefit and no legal need for the change. As we have discussed the Coalition's concerns, we have heard very general statements about the desire to keep the rural area rural. We have also repeatedly heard that the change is legally required. Neither position is tenable.

**1. The existing policy has a twenty-year history of success:**

The current policy has been in place since the beginning of the Growth Management Act. It has permitted schools to provide a vital public service -- the paramount public service under the Washington Constitution. Schools in King County serve students throughout the unincorporated area. Based on preliminary data, only seven schools have been connected to tightlines since the original Countywide Planning Policies were adopted nearly twenty years ago. Together, these sites account for a tiny part of one percent of the land in unincorporated King County outside the UGA. The policy has not resulted in a significant reduction in the amount of the rural land base. Because the tightline does not allow residential connections, there has been no sprawl. The GMPC should not take action that imposes significant and real costs on the assumption that the current policy has created a problem in the rural area. The idea of changing policy to keep the rural area “pure” as a matter of principle, when no facts support it, has no place in the reasoned planning process under the GMA.

**2. Vision 2040 does not mandate the proposed changes to the Countywide Planning Policies:**

We have also been advised that the new policies are needed to achieve consistency with the Puget Sound Regional Council’s Vision 2040. This is incorrect for a number of reasons.

First, state law does not require that the Countywide Planning Policies be consistent with Vision 2040. In this regard, the GMA provisions pertaining to multi-county planning policies are different than the GMA provisions pertaining to countywide planning policies. The GMA specifically uses the CPPs to achieve consistency among a county and its cities under RCW 36.70A.100 and 210. There is no analogous provision requiring that the CPPs be consistent with a multi-county plan such as Vision 2040. RCW 36.70A.210(7),<sup>1</sup> which establishes multi-county planning, imposes no consistency requirements analogous to those between comprehensive plans and CPPs. The Puget Sound Regional Council (“PSRC”) has adopted an Interlocal Agreement that seeks to ensure that the local plans reflect the regional strategy. The PSRC’s checklist for reviewing CPPs to achieve this objective does not contain any questions related to tightline sewers and is limited to “urban size schools” primarily supporting “urban residents.” The Countywide Planning Policies can address this issue without the proposed policy changes. A collaborative approach for doing so is recommended below.

Second, and more importantly, Vision 2040 clearly recognizes that using tightlines to serve schools in the rural areas is appropriate:

Sewage Treatment. With very few exceptions — **generally provided only for schools** or for specific health, safety, or environmental concerns — sanitary sewer service is allowed only in urban areas. (emphasis added) (page 91)

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<sup>1</sup> RCW 36.70A.210 “(7) Multicounty planning policies shall be adopted by two or more counties, each with a population of four hundred fifty thousand or more, with contiguous urban areas and may be adopted by other counties, according to the process established under this section or other processes agreed to among the counties and cities within the affected counties throughout the multicounty region.”

Vision 2040 expressly states that schools are an appropriate exception to the general rule. In other words, Vision 2040 supports the provisions in the current Countywide Planning Policies and does not require a change to the Policies governing schools and tightlines to sewers. We have been told that this general statement is somehow at odds with other goals and policies within Vision 2040; however, it makes no sense that the document would specifically note that schools are an exception to the general rule about sewers and then subsequently create policies that eliminate this exception.

Third, Vision 2040 should be used as a planning framework while supporting the provision of K-12 education. For example, to the extent that the County is interested in considering the Vision's concept of locating more schools in rural towns and cities, the County could enter into an interlocal agreement with the school districts to analyze the opportunities for accomplishing this and the costs of doing so. In fact, as a part of the 2008 King County Comprehensive Plan Update, the Council directed the Executive to "commence discussions with cities that border the Rural Area in order to identify lands that will accommodate the needs of residents of those cities for new or expanded schools." King County Ordinance 16263, Section 13 (J), pages 41-42.

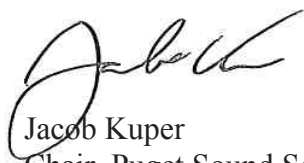
**This study was never done.**

Furthermore, Vision 2040 specifically directs counties and cities to "collaborate with special service districts" in planning. (Pages 95-96). As noted earlier, the draft CPPs were developed without consulting the school districts. Finally, Vision 2040's stated purpose is "to guide decisions that help to make wise use of existing resources" and serve as a "regional framework for achieving goals by building on and supporting local, county, regional, and state planning efforts." (Pages 1-2). As noted above, changing the school policies is the anti-thesis of "mak[ing] wise use of existing resources" and the proposed Countywide Planning Policies undermine rather than build on careful local planning by school districts and the public that we serve.

To conclude, please do not take action at the June 29<sup>th</sup> Growth Management Planning Council meeting on the proposed Countywide Planning Policies governing schools. Additional analysis of the consequences of the proposed policies is required. If the Growth Management Planning Council decides to take action, it should adopt a policy that creates an intergovernmental process that reviews information on the key issues and collaborates rather than imposing an outcome on school districts.

If you have any questions, please call me at (425) 837-7016. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jacob Kuper', with a stylized, flowing script.

Jacob Kuper  
Chair, Puget Sound School Coalition  
Chief Financial and Operations Officer  
Issaquah School District